

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CHAPTER 11
)	
COUNTRY CLUB, INC.)	CASE NO. 18-66879
)	
Debtor.)	
)	

MOTION FOR LIMITED EXTENSION OF BAR DATE

COMES NOW Debtor Country Club, Inc., (“Debtor”) and files this Motion for Limited Extension of Bar Date pursuant to Federal Rule of Bankruptcy Procedure 3003(c)(3) and shows the Court as follows:

1.

Federal Rule of Bankruptcy Procedure 3003(c)(3) provides that the Court “shall fix and for cause shown may extend the time within which proofs of claim or interest may be filed.” Debtor asserts that cause exists for the Court to extend the time by which those certain adult entertainers described below may file proofs of claim in Debtor’s bankruptcy case.

2.

Debtor operates an adult entertainment club known as Gold Rush Show Bar (the “Club”). Adult entertainers work at the Club (collectively, the “Dancers”) and are issued tax forms 1099 addressed to them at the addresses they provide to Debtor.

3.

Certain Dancers, who either currently work or worked at the Club, are plaintiffs in litigation filed against Debtor that involves Fair Labor Standard Act (“FLSA”) claims and/or state law wage and hour claims (collectively, “Plaintiffs”).

4.

Plaintiffs are represented by counsel in those FLSA actions and in Debtor's bankruptcy case. Counsel on behalf of Plaintiffs has filed proofs of claim in this bankruptcy case. Some of Plaintiffs continue to work at the Club.

5.

In December 2018, Debtor filed a Motion to Set Bar Date and to Provide Notice by Publication to Unknown Creditors and Claimants. The bar date was set for February 15, 2019 (the "Original Bar Date Notice"). Debtor served its Original Bar Date Notice on all those creditors and claimants scheduled in its Schedules and served the Original Bar Date Notice upon counsel for Plaintiffs and published the Original Bar Date Notice in the Atlanta Journal Constitution.

6.

Debtors did not serve the Original Bar Date Notice upon each dancer personally who works or worked at the Club.

7.

In order to determine all the claims in Debtor's bankruptcy case, Debtor seeks permission to extend the Original Bar Date Notice only as to those Dancers who worked at the Club during the years 2015, 2016, 2017, 2018, 2019, including present Dancers. This period including, the three (3) year period prior to the Petition Date, reflects the time period during which the Dancers may allege Debtor violated FLSA provisions and assert FLSA claims for any such violation.

8.

Debtor's notice will give notice to each Dancer of their right to file claims in the case for a certain period of time and thereafter be barred from filing such claims against Debtors either in the Bankruptcy Court or in any other forum.

9.

Debtor proposes that the Extended Bar Date Notice attached as "Exhibit A" to this Motion be mailed to each Dancer at the name and address listed on their tax form 1099 with sufficient postage attached thereto.

10.

Debtor has filed contemporaneously herewith its Application to Employ Katie Goodman as its claims agent to create the mailing matrix from Debtor's records and to mail the Extended Bar Date Notice to the Dancers.

11.

Debtor proposes April 10, 2019 as the extended bar date for the filing of any and all claims asserted by the Dancers.

Wherefore, for good cause shown, Debtor respectfully requests that the Court, pursuant to Federal Rule of Bankruptcy Procedure 3003(c)(3), enter an order authorizing Debtor to extend the bar date in its bankruptcy case to April 10, 2019 exclusively as to those Dancers who worked at Debtor's Club during the years 2015, 2016, 2017, 2018, 2019, including present Dancers, and to bar all such Dancers from filing any claims after the Extended Bar Date, and to grant to Debtor such other and further relief as may be just and proper.

This 1st day of February 2019.

Respectfully submitted,

McBRYAN, LLC

/s/Louis G. McBryan

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EXHIBIT A

NOTICE OF BANKRUPTCY AND EXTENDED BAR DATE FOR FILING CLAIMS

Notice is given that **Country Club, Inc. d/b/a Gold Rush Show Bar** filed a Chapter 11 Bankruptcy Case on October 5, 2018 in the United States Bankruptcy Court for Northern District of Georgia, Atlanta Division which has Case Number 18-66879-jwc. You have received this Notice because you work or worked as an adult entertainer at **Gold Rush Show Bar** during the years 2015, 2016, 2017, 2018, 2019, including present Dancers. As an adult entertainer you may have claims arising under the Fair Labor Standards Act during that time period.

If you determine that you have such a claim or any other claim against Country Club, Inc. d/b/a Gold Rush Show Bar, you **MUST** file your claim by **April 10, 2019**. Your claim must be filed with:

Clerk, U.S. Bankruptcy Court
1340 U.S. Courthouse
75 Ted Turner Drive, S.W.
Atlanta, Georgia 30303

on or before **April 10, 2019** (the "Extended Bar Date"). Proofs of Claim filed electronically may be filed up to 11:59:59 p.m. All other Proofs of Claim must be filed by delivery to the Clerk's Office **before 4:00 p.m.** The Proof of Claim must be filed in the case of Country Club, Inc., Case No. 18-66879-jwc.

If you do not file a proof of claim by the above-deadline and as described, you will be forever barred, estopped, and enjoined from asserting your claim against Country Club, Inc. d/b/a Gold Rush Show Bar and its bankruptcy estate and will be barred from participating in any plan of reorganization that may be confirmed in this Chapter 11 proceeding.

You may download the Proof of Claim form at <http://www.ganb.uscourts.gov/proof-claim> or you may send a request for a proof of claim form to alepage@mcbryanlaw.com.

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CERTIFICATE OF SERVICE

I certify that I have electronically filed the foregoing **COUNTRY CLUB, INC'S MOTION FOR LIMITED EXTENSION OF BAR DATE** by with the Clerk of Court using the CM/ECF system which will send electronic notification to all users who have consented to such service and by placing same in a properly addressed envelope with adequate postage affixed thereon by placing same in the U.S. Mail upon the Debtors' thirty (30) largest unsecured creditors on a consolidated basis listed on the attached "Exhibit A".

This 1st day of February 2019.

McBRYAN, LLC

/s/Louis G. McBryan

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